



**ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPP-2010-0014; FRL-9912-89]**

**Product Cancellation Order for Certain Pesticide Registrations**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's order for the cancellations, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1 of Unit II., pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a December 4, 2013 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 2 of Unit II. to voluntarily cancel these product registrations. In the December 4, 2013 notice, EPA indicated that it would issue an order implementing the cancellations, unless the Agency received substantive comments within the 180-day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency received comments on the notice but none merited its further review of the requests. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations. Any distribution, sale, or use of the products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions. In addition, for pertinent information relating to EPA Reg. No. 000241-00379 as published in the December 4, 2014 notice, see Unit II. of this notice.

**DATES:** The cancellations are effective [*INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** John W. Pates, Jr., Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8195; email address: [pates.john@epa.gov](mailto:pates.john@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

*B. How Can I Get Copies of this Document and Other Related Information?*

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2010-0014, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

**II. What Action is the Agency Taking?**

This notice announces the cancellation, as requested by registrants, of products registered under FIFRA section 3. These registrations are listed in sequence by registration number in Table 1 of this unit.

Pesticide registration number 000241-00379 and its content has been removed from the listing in Table 1. EPA inadvertently listed the pesticide registration number 000241-00379, in the **Federal Register** of December 4, 2013 (78 FR 72881) (FRL 9902-41). Therefore, this action excludes pesticide registration number 000241-00379 from cancellation.

**Table 1.--Product Cancellations**

<b>EPA Registration Number</b>	<b>Product Name</b>	<b>Chemical Name</b>
000004-00406	Eight Insect Control Garden & Home Insect Control Ready-to-Use	Permethrin
000264-00940	Gustafson Vitavax-PCNB Flowable Fungicide	Pentachloronitrobenzene & Carboxin
000264-00943	RTU-Vitavax-Thiram Seed Protectant Fungicide	Thiram & Carboxin
000264-00948	Gustafson LSP Flowable Fungicide	Thiabendazole
000264-00952	Kodiak HB Biological Fungicide	Bacillus subtilis GB03
000264-00953	Kodiak A-T Fungicide	Pentachloronitrobenzene, Bacillus subtilis GB03, & Metalaxyl
000264-00958	Tops MZ Potato Seed-Piece Treatment Fungicide	Mancozeb & Thiophanate-methyl
000264-00974	Gustafson AG-Streptomycin	Streptomycin sulfate
000264-00984	Titan FL	Clothianidin, Thiram, Metalaxyl & Carboxin
000264-01013	Ipconazole Metalaxyl MD (S)	Metalaxyl, & Ipconazole
000264-01014	Gustafson Allegiance Dry Seed Protectant Fungicide	Metalaxyl
000264-01015	Prevail Allegiance Terraclor Vitavax Fungicide	Pentachloronitrobenzene, Carboxin & Metalaxyl

000264-01016	Stiletto Pak	Thiram, Carboxin, & Metalaxyl
000264-01017	Imidacloprid Vitavax Metalaxyl Seed Treatment	Carboxin, Imidacloprid, & Metalaxyl
000264-01018	Protector-L-Allegiance	Thiram & Metalaxyl
000264-01019	Stiletto	Thiram, Carboxin, & Metalaxyl
000264-01035	Prosper T200 Insecticide and Fungicide Seed Treatment	Metalaxyl, Carboxin, Trifloxystrobin, & Clothianidin
000264-01079	Three-Way VAP	Clothianidin, Ipconazole, & Metalaxyl
000264-01082	Proceed Plus	Metalaxyl, Tebuconazole, Prothioconazole, & Clothianidin
000464-00667	Bioban CS-1246	Oxazolidine-E
035935-00076	Prodiamine Technical	Prodiamine
053883-00029	Viper WP	Cypermethrin
062719-00505	GF-120 NF Naturalyte Fruit Fly Bait	Spinosad
067517-00047	Hard Hitter Wettable Powder	Permethrin
069361-00033	Propicon 3.6 EC Fungicide	Propiconazole
AZ-080015	Proclipse 65 WDG	Prodiamine
CA-080022	Proclipse 65 WDG	Prodiamine
CO-940006	Comite II	Propargite
MA-050002	Abound Flowable Fungicide	Azoxystrobin
OR-090001	Sluggo Slug and Snail Bait	Phosphoric acid, iron(3+) salt (1:1)

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in Table 1 of this unit.

**Table 2.--Registrants of Cancelled Products**

<b>EPA Company Number</b>	<b>Company Name and Address</b>
4	Bonide Products, Inc. Agent: Registrations By Design, Inc. P.O. Box 1019 Salem, VA 24153-1019

264	Bayer CropScience LP 2 T.W. Alexander Drive P.O. Box 12014 Research Triangle Park, NC 27709
464	The Dow Chemical Company 1500 East Lake Cook Road Buffalo Grove, IL 60089
35935	Nufarm Limited Agent: Nufarm Limited 4020 Aerial Center Pkwy Suite 103 Morrisville, NC 27560
53883	Controls Solutions, Inc. 5903 Genoa-Red Bluff Road Pasadena, TX 77507-1041
62719	Dow AgroSciences 9330 Zionsville Road Indianapolis, IN 46268
67517	Virbac Animal Health 3200 Meacham Boulevard Fort Worth, TX 76137
69361	Repar Corp Agent: Madava Associates, LLC 1050 Conn. Ave., NW Suite 1000 Washington, DC 20036
AZ-080015, CA-080022	Nufarm Americas, Inc. Agent: Nufarm Americas, Inc. 4020 Aerial Center Pkwy. Suite 101 Morrisville, NC 27560
CO-940006	Chemtura Corporation 199 Benson Road Middlebury, CT 06749
MA-050002	Syngenta Crop Protection, LLC 410 Swing Road P.O. Box 18300 Greensboro, NC 27419-8300
OR-090001	W. Neudorff GMBH KG 1008 Riva Ridge Drive Great Falls, VA 22066

### **III. Summary of Public Comments Received and Agency Response to Comments**

During the public comment period, EPA received four comments regarding pesticide concerns in general. These four comments did not contain information about any specific product cancellation request. For these reasons, the Agency does not believe that the comments submitted during the comment period merit further review or a denial of the requests for voluntary cancellation.

### **IV. Cancellation Order**

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the registrations identified in Table 1 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1 of Unit II. are cancelled. The effective date of the cancellations that are the subject of this notice is [*INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER*]. Any distribution, sale, or use of existing stocks of the products identified in Table 1 of Unit II. in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI. will be a violation of FIFRA.

### **V. What is the Agency's Authority for Taking this Action?**

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the EPA Administrator may approve such a request. The notice of receipt for this action was published for comment in the **Federal Register** of December 4, 2013 (78 FR 72881) (FRL-9902-41). The comment period closed on June 2, 2014.

### **VI. Provisions for Disposition of Existing Stocks**

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. The existing stocks provisions for the products subject to this order are as follows.

The registrants may continue to sell and distribute existing stocks of products listed in Table 1 of Unit II. until *[INSERT DATE 1 YEAR AFTER PUBLICATION OF THE CANCELLATION ORDER IN THE **FEDERAL REGISTER]***, which is 1 year after the publication of the Cancellation Order in the **Federal Register**. Thereafter, the registrants are prohibited from selling or distributing products listed in Table 1, except for export in accordance with FIFRA section 17, or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products listed in Table 1 of Unit II. until existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: June 30, 2014.

Richard P. Keigwin, Jr.

*Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.*

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